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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

The situation in the occupied territories of Azerbaijan

Letter dated 3 December 2004 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

I wish to bring to your attention the concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.104, 26 November 2004) on the second periodic report of Azerbaijan on the implementation of the International Covenant on Economic, Social and Cultural Rights.

The report lists 22 subjects of concern. These disclose the real nature of Azerbaijan's past and present discriminatory policies with regard to ethnic minorities.

Paragraph 15 states, "The Committee is concerned about the persistent de facto discrimination against foreign citizens, ethnic minorities and stateless persons".

Paragraph 28 expresses concerns about the illegal occupation of properties belonging to Armenians and other ethnic minorities.

In the suggestions and recommendations section, paragraph 54 "recommends the State party to take corrective measures to ensure that Armenians and other ethnic minorities whose properties are illegally occupied by refugees and internally displaced persons be provided with adequate compensation or offered alternative accommodation, in accordance with the guidelines adopted by the Committee and its General Comment No. 7".

This report by an independent expert body once again demonstrates the hypocritical essence of Azerbaijan's recent initiative, where, under the guise of "urgency", it tries to divert the attention of the international community from its own defamatory policy of discrimination against ethnic minorities in crude violation of internationally recognized norms.

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The Republic of Armenia has expressed the opinion to United Nations Member States that by introducing the issue of the so-called "illegal settlement activities", Azerbaijan tries to conceal its own policy of resettlement. Those properties left by hundreds of thousands of Armenians massacred or deported from Azerbaijan from 1988 to 1992 have been officially confiscated (without any compensation) by a special decree of the President of Azerbaijan. This has included not only properties in the capital, Baku, the cities of Kirovabad (Ganja) and Sumgait and other places with large and concentrated Armenian populations, but also the immediate conflict zone — the districts of Shahumian, Getashen and Northern Martakert.

Particularly, by the decree of the President of Azerbaijan of 22 August 2001, the Azerbaijani State Committee on Refugees and Internally Displaced Persons was instructed to organize the settlement of the refugees in the formerly completely-Armenian populated regions of Shahumian and Getashen. By the same decree the State Oil Fund has allocated 83 billion manats (about $18 million) to resettle Azeris who have in the past 14 years lived mostly in Baku and Ganja to the regions of Shahumian and Getashen. Moreover, Azerbaijan's late President Heydar Aliyev himself attended the official ceremony marking the resettlement of some 1,000 Azeri families in previously Armenian-populated villages of Shahumian and Verinshen (*Ekho* daily, 10 and 14 September 2004). At the time of the President's visit, 140 houses had already been built and 222 were under construction. Azerbaijan has even gone so far as to rename the Shahumian region Gyulistan, while the villages of Shahumian and Verinshen are already referred to as Ashaghi Agjakend and Yukhari Agjakend by the Azeri side. This is the apparent continuation of the policy of ethnic cleansing launched against the Armenian population of those regions by the Government of Azerbaijan.

I should be grateful if you would have the text of the present letter circulated as a document of the fifty-ninth session of the General Assembly under agenda item 100.

(*Signed*) Armen **Martirosyan**
Ambassador
Permanent Representative